UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,956	03/08/2001	Jeremy Rosenberg	14688-505	2142

6449 7590 03/16/2005

ROTHWELL, FIGG, ERNST & MANBECK, P.C.
1425 K STREET, N.W.
SUITE 800
WASHINGTON, DC 20005

EXAMINER	
PEREZ DAPLE, AARON C	

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/800,956	ROSENBERG ET AL.	
	Examiner	Art Unit	
	Aaron C Perez-Daple	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 March 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 12-29* is/are pending in the application.

4a) Of the above claim(s) *12,13 and 15* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,14 and 16-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) *12, 13 and 15* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *see Notes*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Action is in response to Application filed 3/8/2001 and preliminary Amendment filed 3/27/02.

2. Claims 1-5 and 12-29 are presented for examination.

3. Claims 6-11 are cancelled by Applicant.

4. Claims 12, 13 and 15 are withdrawn as being drawn to a non-elected invention.

5. This Action is non-Final.

Election/Restrictions

6. This Requirement is in response to Application filed 3/8/2001.

7. Restriction to one of the following inventions is required under 35 U.S.C. 121:

   I. Claims 1-5, 14 and 16-29, drawn to a personalized audio system having a client-server architecture, classified in 709, subclass 203.

   II. Claims 12 and 13, drawn to a method for building a sound library, classified in 707, subclass 10.

   III. Claim 15, drawn to a method for indicating ownership of a sound recording, classified in 705, subclass 26.

8. Inventions I, II, and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II lacks one or more particulars of Inventions I and III and has separate utility such as for building a sound library. Invention III

lacks one or more particulars of Inventions I and II and has a separate utility such as for indicating ownership of a sound recording. See MPEP § 806.05(d).

9. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

10. Because these inventions are distinct for the reasons given above and the search required for Inventions II and III is not required for Invention I, restriction for examination purposes as indicated is proper.

11. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

12. During a telephone conversation with Brian Rosenbloom on 2/24/05 a provisional election was made without traverse to prosecute the invention of a personalized audio system having a client-server architecture, Invention I, claims 1-5, 14 and 16-29. Affirmation of this election must be made by applicant in replying to this Office action. Claims 12, 13 and 15 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Information Disclosure Statement

13. The information disclosure statements filed 6/20/01 and 7/8/04 fail to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other

information or that portion which caused it to be listed. The statements have been placed in the application file, but the foreign and non-patent literature information referred to therein has not been considered.

Claim Rejections - 35 USC § 101

14. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

15. **Claims 26 and 29** rejected under 35 U.S.C. 101 because the claimed inventions are directed to non-statutory subject matter. Specifically, the claims are directed towards a signal embodied in a carrier wave. Anything claimed as embodied in a carrier wave is non-statutory subject matter because carrier waves are a physical phenomena which are non-statutory *per se* (i.e. they are neither a process, machine, manufacture, or composition of matter).

Double Patenting

16. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The

filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

17. **Claims 1-4 and 12-15** are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-4 and 12-15 of copending Application Nos. 10/098450, 10/098473 and 10/098482. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

18. Claims 1-4 and 12-15 of this application conflict with claims 1-4 and 12-15 of Application Nos. 10/098450, 10/098473 and 10/098482. 37 CFR 1.78(b) provides that when two or more applications filed by the same applicant contain conflicting claims, elimination of such claims from all but one application may be required in the absence of good and sufficient reason for their retention during pendency in more than one application. Applicant is required to either cancel the conflicting claims from all but one application or maintain a clear line of demarcation between the applications. See MPEP § 822.

Claim Rejections - 35 USC § 102

19. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

20. **Claim 1** is rejected under 35 U.S.C. 102(e) as being anticipated by Dwek (US 6,248,946 B1) (hereinafter Dwek).

21. As for claim 1, Dwek discloses a personalized audio system, comprising:

a user interface that enables a user of the personalized audio system to specify a profile for a personalized audio channel (Fig. 3A; col. 2, lines 9-18);

a sound recording library comprising a plurality of sound recordings (col. 2, lines 27-32);

a playlist generator that (a) selects one or more sound recording identifiers (The "recording identifiers" are considered inherent for identifying the songs stored on the server, because otherwise it would not be possible to select specific songs as disclosed.) from a set of sound recording identifiers, wherein each of the selected one or more sound recording identifiers identifies a sound recording that matches the profile that is stored in the library (col. 2, lines 16-36), and that (b) creates a playlist that lists the selected one or more sound recording identifiers in a particular order (col. 2, lines 16-36); and

a sound recording reproducing device for reproducing each of the identified sound recordings according to the particular order in which the selected one or more sound recording identifiers are listed in the playlist so that the user can listen to the sound recordings (col. 2, lines 27-32), wherein

the personalized audio system does not provide the user with a way to determine the selected one or more sound recording identifiers prior to the reproducing means reproducing the identified sound recordings (col. 2, lines 21-23); and

the personalized audio system does not provide the user with a way to directly control which sound recording identifiers in the set are selected by the playlist generator to be included in the group of selected one or more sound recording identifiers (col. 2, lines 21-23).

22. **Claims 14 and 16-29** are rejected under 35 U.S.C. 102 (e) as being unpatentable over Cook et al. (US 6,248,946 B1) (hereinafter Cook).

23. As for claim 14, Cook discloses in a personalized audio system having a consumer device, wherein the consumer device has a user interface for receiving input from a user of the device, a method for providing a personalized audio channel, comprising the steps of:

receiving from the user interface a user input from the user, wherein the input comprises audio channel profile information (col. 5, lines 42-57);

associating the profile information with an audio channel (col. 5, lines 34-61);

receiving an indication from the user that the user desires to listen to the audio channel (col. 5, lines 58-61);

selecting a set of sound recordings based on the profile information and based on a statute, regulation, and/or contract in response to receiving the indication from the user (col. 5, lines 19-57); and

reproducing each selected sound recording for the user to hear (col. 4, line 66-col. 5, line 18), wherein

the selected set of sound recordings are selected in a particular order and are reproduced in the particular order in which they are selected (col. 4, line 66-col. 5, line 18).

24. As for claims 16 and 26-29, Cook discloses in a personalized audio system having a consumer device, wherein the consumer device has a user interface (col. 3, lines 45-59) for receiving input from a user and a storage device (end user digital library 120, Fig. 1) for storing a sound recording library comprising a plurality of sound recordings, a method for providing a personalized audio channel, the method comprising the steps of:

receiving through the user interface input from the user, wherein the input indicates that the user desires to listen to a selected personalized audio channel, the selected personalized audio channel having a profile created or modified by the user of the consumer device, the profile selecting one or more genres or styles of music (col. 5, lines 42-57);

selecting a sound recording based on the profile of the selected audio channel (col. 5, lines 42-57);

determining whether the selected sound recording is stored in the sound recording library (col. 4, lines 52-65);

retrieving the sound recording from the sound recording library if a determination is made that the sound recording is stored in the sound recording library (col. 4, lines 52-65);

retrieving the sound recording from a server (central host computer 46, Fig. 1) that is remote from the consumer device if a determination is made that the sound recording is not stored in the sound recording library (col. 4, lines 52-65); and

playing the sound recording for the user (col. 5, lines 17-20).

25. As for claim 17, Cook discloses the method of claim 16, further comprising the step of adding the sound recording to the sound library after retrieving the sound recording from the server when a determination is made that the sound recording is not stored in the sound recording library (col. 4, lines 52-60).

26. As for claim 18, Cook discloses the method of claim 17, further comprising the step of encrypting the sound recording before adding it to the sound recording library (col. 3, lines 7-8; col. 5, lines 3-15).

27. As for claim 19, Cook discloses the method of claim 16, wherein the step of selecting a sound recording based on the profile of the selected personalized audio channel, further comprises the step of selecting a sound recording from a playlist (schedule), wherein the playlist matches the profile (col. 5, lines 42-57).

28. As for claim 20, Cook discloses the method of claim 19, wherein the playlist is stored on the storage device (schedules 32, Fig. 5).

29. As for claim 21, Cook discloses the method of claim 16, wherein the sound recording library has an associated library catalogue that identifies each sound recording that is in the library (end user digital library 120, Fig. 5).

30. As for claim 22, Cook discloses the method of claim 21, wherein the associated library catalogue further identifies whether or not a sound recording is owned by a user of the personalized audio system (col. 4, lines 52-60).

31. As for claim 23, Cook discloses the method of claim 16, further comprising the step of creating a playlist based on the profile, wherein the playlist comprises a list of sound recordings (col. 5, lines 42-57).

32. As for claim 24, Cook discloses the method of claim 23, wherein the step of selecting a sound recording comprises the step of selecting a sound recording from the playlist (col. 5, lines 42-57).

33. As for claim 25, Cook discloses the method of claim 24, wherein while performing the step of playing the selected sound recording, the method further comprises the steps of:

selecting a second sound recording based on the profile (col. 5, lines 42-57);

determining whether the second sound recording is stored in the sound recording library (col. 4, lines 52-65);

retrieving the second sound recording from the sound recording library if a determination is made that the sound recording is stored in the sound recording library (col. 4, lines 52-65);

retrieving the second sound recording from a server and selecting from the playlist a third sound recording, wherein the third sound recording is stored in the sound library, if a determination is made that the second sound recording is not stored in the sound recording library (col. 4, line 47-col. 5, line 18);

determining whether the second sound recording is ready to be played at or about the time when the first sound recording is finished being played (col. 4, line 47-col. 5, line 18);

playing the second sound recording if it is determined that the second sound recording is ready to be played at or about the time when the first sound recording is finished being played (col. 4, line 47-col. 5, line 18); and

playing the third sound recording if it is determined that the second sound recording is not ready to be played at or about the time when the first sound recording is finished being played (col. 4, line 47-col. 5, line 18).

Claim Rejections - 35 USC § 103

34. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

35. **Claim 1** is further rejected and claim 2 is rejected under 35 U.S.C. 103(a) as being anticipated by Ward (US 6,526,411 B1) (hereinafter Ward) in view of Dwek.

36. As for claim 1, Ward discloses a personalized audio system, comprising:

a user interface that enables a user of the personalized audio system to specify a profile for a personalized audio channel (col. 5, lines 47-61);

a sound recording library comprising a plurality of sound recordings (local content items 17, Fig. 2; col. 5, lines 64-67);

a playlist generator that (a) selects one or more sound recording identifiers from a set of sound recording identifiers, wherein each of the selected one or more sound recording identifiers identifies a sound recording that matches the profile that is stored in the library (col. 2, lines 26-33), and that (b) creates a playlist that lists the selected one or more sound recording identifiers in a particular order (col. 2, lines 18-25); and

a sound recording reproducing device for reproducing each of the identified sound recordings according to the particular order in which the selected one or more sound recording identifiers are listed in the playlist so that the user can listen to the sound recordings (content player 10, Fig. 2; col. 5, lines 47-61), wherein

the personalized audio system does not provide the user with a way to directly control which sound recording identifiers in the set are selected by the playlist generator to be included in the group of selected one or more sound recording identifiers (col. 2, lines 18-25; col. 2, lines 61-67).

Although obvious to one of ordinary skill in the art, Ward does not *explicitly* disclose that the personalized audio system does not provide the user with a way to determine the selected one or more sound recording identifiers prior to the reproducing means reproducing the identified sound recordings. Dwek teaches a system similar to that of Ward wherein the personalized audio system does not provide the user with a way to determine the selected one or more sound recording identifiers prior to the reproducing means reproducing the identified sound recordings (col. 2, lines 21-23). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ward by not providing the user with a way to determine the selected one or more sound recording identifiers prior to the reproducing means reproducing the identified sound recordings in order to present the music in a radio format without user intervention, as taught by Dwek (col. 2, lines 15-40).

37. As for claim 2, Ward teaches the audio system of claim 1, comprising a server and a consumer device, wherein the consumer device (Content Player System 110, Fig. 2) comprises the user interface (col. 5, lines 47-61) and a storage device (data storage 15, Fig. 2) for storing the sound recording library, and the server comprises the playlist generator (col. 6, lines 26-35).

38. **Claims 3-5** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ward in view of Dwek and in further view of Cook et al. (US 6,248,946 B1) (hereinafter Cook).

39. As for claims 3 and 4, the system of Ward inherently includes both a transmitter and a receiver for communicating over the network (Fig. 2). Ward further teaches that the playlist may be generated at either the server or the consumer device (col. 6, lines 26-35). Ward also teaches storing the playlist at the consumer device (playlist 16, Fig. 2). However, Ward does not *explicitly* disclose transmitting the playlist from the server to the consumer device. Cook teaches a system similar to that of Ward which further comprises transferring the playlist (schedule) from the server to the consumer device and storing the playlist at the consumer device (col. 4, lines 40-46). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Ward and Dwek by transferring the playlist from the server to the consumer device in order to allow local processing of the playlist and reduce network traffic, as taught by Cook.

40. As for claim 5, Ward and Dwek do not specifically disclose encrypting the playlist stored in the storage device. Cook discloses encrypting the playlist stored in the storage device (col. 3, lines 7-8; col. 5, lines 3-15). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Ward and Dwek by encrypting the playlist, because this would prevent unauthorized copying, distribution and performance of the content, as taught by Cook (col. 2, lines 2-4).

41. **Claims 16-29** are further rejected under 35 U.S.C. 103(a) as being unpatentable over Ward in view of Cook et al. (US 6,248,946 B1) (hereinafter Cook).

42. As for claims 16 and 26-29, Cook discloses in a personalized audio system having a consumer device, wherein the consumer device has a user interface (col. 5, lines 47-61) for receiving input from a user and a storage device (local content items 17, Fig. 2; col. 5, lines

64-67) for storing a sound recording library comprising a plurality of sound recordings, a method for providing a personalized audio channel, the method comprising the steps of:

receiving through the user interface input from the user, wherein the input indicates that the user desires to listen to a selected personalized audio channel, the selected personalized audio channel having a profile created or modified by the user of the consumer device, the profile selecting one or more genres or styles of music (col. 2, lines 18-33);

selecting a sound recording based on the profile of the selected audio channel (col. 2, lines 18-33);

playing the sound recording for the user (col. 5, lines 47-61).

Although Ward teaches that the content may either be stored in a library on the local storage device or remotely on the server (col. 6, lines 47-54), Ward does not *explicitly* teach retrieving the sound recording from the library if it is determined that the sound recording is in the library and retrieving the sound recording from the server otherwise. Cook teaches a system similar to Ward, further comprising the steps of:

determining whether the selected sound recording is stored in the sound recording library (col. 4, lines 47-57);

retrieving the sound recording from the sound recording library if a determination is made that the sound recording is stored in the sound recording library (col. 4, lines 47-57);

retrieving the sound recording from a server (central host computer 46, Fig. 1) that is remote from the consumer device if a determination is made that the sound recording is not stored in the sound recording library (col. 4, lines 47-57).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ward by retrieving the sound recording from the library if it is determined that the sound recording is in the library and retrieving the sound recording from the server otherwise, because this would allow for efficient updating of the user's library, as taught by Cook (col. 4, lines 47-65).

43. As for claim 17, Ward does not specifically disclose adding the sound recording to the sound library after retrieving the sound recording from the server when a determination is made that the sound recording is not stored in the sound recording library. Cook discloses the method of claim 16, further comprising the step of adding the sound recording to the sound library after retrieving the sound recording from the server when a determination is made that the sound recording is not stored in the sound recording library (col. 4, lines 52-60). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ward by adding the sound recording to the library, because this would allow for efficient updating of the user's library, as taught by Cook (col. 4, lines 47-65).

44. As for claim 18, Ward does not specifically disclose encrypting the sound recording. Cook discloses the method of claim 17, further comprising the step of encrypting the sound recording before adding it to the sound recording library (col. 3, lines 7-8; col. 5, lines 3-15). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ward by encrypting the sound recording before adding it to the library, because this would prevent unauthorized copying, distribution and performance of the content, as taught by Cook (col. 2, lines 2-4).

45. As for claim 19, Ward discloses the method of claim 16, wherein the step of selecting a sound recording based on the profile of the selected personalized audio channel, further comprises the step of selecting a sound recording from a playlist, wherein the playlist matches the profile (col. 2, lines 18-33).

46. As for claim 20, Ward discloses the method of claim 19, wherein the playlist is stored on the storage device (playlist 16, Fig. 2).

47. As for claim 21, Ward discloses the method of claim 16, wherein the sound recording library has an associated library catalogue that identifies each sound recording that is in the library (local content items 17, Fig. 2).

48. As for claim 22, Ward discloses the method of claim 21, wherein the associated library catalogue further identifies whether or not a sound recording is owned by a user of the personalized audio system (col. 6, lines 1-10).

49. As for claim 23, Ward discloses the method of claim 16, further comprising the step of creating a playlist based on the profile, wherein the playlist comprises a list of sound recordings (col. 2, lines 18-33).

50. As for claim 24, Ward discloses the method of claim 23, wherein the step of selecting a sound recording comprises the step of selecting a sound recording from the playlist (col. 2, lines 18-33).

51. As for claim 25, Ward does not specifically disclose changing the playlist order by playing a third sound recording stored locally when a second recording has not yet completed downloading, as detailed in the steps of claim 25. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ward by playing a third sound

recording stored locally when a second recording has not yet completed downloading, as detailed in the steps of claim 25, in order to continuously play music without interruption to the user.

Conclusion

52. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 6,389,467 B1, note Fig. 2;

US 6,418,421 B1, note abstract;

US 6,434,747 B1, note abstract, Fig. 2;

US 6,446,130 B1, note abstract;

US 6,587,127 B1, note abstract.

53. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron C Perez-Daple whose telephone number is (571) 272-3974. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

3/3/05

Aaron Perez-Daple

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Notes: IDS attachments with mail dates 6/20/01, 6/22/01, 2/20/02 and 7/8/04.